

**IN THE UNITED STATE DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ABINGDON DIVISION**

<b>UNITED STATES OF AMERICA</b>	)	
<b>PLAINTIFF</b>	)	
	)	
<b>v.</b>	)	<b>CASE NO. : 1:17-CR-027-JPJ-PMS</b>
	)	
<b>JOEL A. SMITHERS</b>	)	
<b>DEFENDANT</b>	)	

**SECOND MOTION FOR CONTINUANCE**

COMES NOW the Defendant, Joel A. Smithers, by and through counsel, and moves this Honorable Court for a continuance of his case currently set to begin on April 29, 2019. The Defendant was provided eighteen (18) discovery CDs, that were received on Friday, March 15<sup>th</sup>, just prior to close of his business. The disks contain at least two spreadsheets and over 4000 pages of discovery. The Defendant's pretrial conference is scheduled for April 4<sup>th</sup> and such does not allow him adequate time to review the discovery and prepare for trial. Furthermore, the Defendant is not permitted to possess his discovery which further complicates the ability for counsel to discuss such with him and prepare for an upcoming trial.

WHEREFORE, the Defendant Joel A. Smithers, respectfully prays that his Motion for Continuance be granted.

RESPECTUFLLY SUBMITTED

JOEL A. SMITHERS

BY: /s/Don M. Williams, Jr.

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**CERTIFICATE OF SERVICE**

I, Don M. Williams, Jr., hereby certify that I have this the 18<sup>th</sup> day of March, 2019, electronically filed the foregoing with the Clerk of the Court using CM/ECF system which will send notification of such filing to the Assistant United States Attorney.

/s/ Don M. Williams, Jr.

DON M. WILLIAMS, JR.